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Before the
Federal Communications Commission
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**In the Matter of:**

Development of Operational, Technical and
Spectrum Requirements for Meeting Federal,
State and Local Public Safety Communication
Requirements Through the Year 2010

WT Docket No. 96-86 /
Fifth Notice of Proposed Rulemaking

To: The Commission

**COMMENTS OF
THE INTERNATIONAL ASSOCIATION OF FIRE CHIEFS, INC.
AND
THE INTERNATIONAL MUNICIPAL SIGNAL ASSOCIATION**

The International Municipal Signal Association (IMSA) and the International Association of Fire Chiefs, Inc. (IAFC) respectfully submit their comments in response to the Fifth Notice of Proposed Rulemaking (Fifth NPRM) in the Commission's rulemaking to develop operational, technical and spectrum requirements for meeting public safety communication requirements through the year 2010 ("Public Safety 700 MHz Band" rulemaking).¹

I. INTRODUCTION

IAFC is a voluntary, professional membership society. Its membership, comprised of approximately 12,000 senior Fire Service officials, is dedicated to the protection of life and property throughout the United States and abroad. IAFC is the major national professional association representing the interests of senior management in the Fire Service. The Fire Service is the largest provider of emergency response medical service in the United States.

¹ 66 Fed. Reg. 10660 (Feb. 16, 2001).

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IMSA is a non-profit organization dedicated to the development and use of electrical signaling and communications systems in the furtherance of public safety. IMSA members, numbering almost 8000, include representatives of federal, state, county, city, township and borough governmental bodies, and representatives of governmental bodies from foreign nations. Organized in 1896, IMSA is the oldest organization in the world dedicated to the activities pertaining to electrical engineering, including the Public Safety use of radio technology.

COMMENTS

The Fifth Notice of Proposed Rulemaking addresses the bandwidth standard for use of the Public Safety 700 MHz band General Use channels. The issue is whether the Commission should enforce the one voice channel per 6.25 kHz bandwidth baseline technical standard for operation in the band from the time of first use of the General Use channels, or whether 12.5 kHz bandwidth equipment should be permitted in the General Use portion of the allocation, as well as for Interoperability, subject to a migration plan.

IMSA and IAFC have supported the enforcement of the 6.25 kHz standard from inception of system deployment in the public safety 700 MHz band. Three reasons have driven the IAFC/IMSA position: (i) 6.25 kHz bandwidth equipment currently is available on a competitive supply basis, as represented by several manufacturers and as evidenced by the broad-based installation of such equipment throughout Europe and Asia; (ii) the Commission allocated 24 MHz of spectrum for public safety use due to the documented needs of the public safety community, and to allow proliferation of 12.5 kHz bandwidth systems would reduce by 50% the amount of channels available for public safety operations, and (iii) early retirement of radio equipment for migration purposes is extremely expensive, and will serve to preclude many

in the Fire and EMS communities, which are populated in suburban and rural areas by volunteer departments, from the ability to install 700 MHz band equipment in order to interface with their urban neighbors.² As detailed by the Commission, two parties supported a migration plan which involves, at best, a 21 year migration program, and which allows some slippage of dates dependent upon the clearance of the band of television broadcast stations.³

The Commission has proposed to allow 12.5 kHz-based systems to be installed prior to December 31, 2005, the date presently scheduled for broadcasters to terminate operations in the band. Any such systems deployed on or prior to the December 31, 2005 date would be allowed to be operated, maintained and expanded until at least December 31, 2015. While the Commission does not directly address the basis for allowing 12.5 kHz-based systems to be deployed initially, it appears the Commission is trying to find a happy medium between the two primary positions expressed in earlier phases of this proceeding.

IMSA/IAFC support the Commission's proposal as a reasonable accommodation, subject to the Commission establishing hard and fast dates for the migration to 6.25 kHz systems. Certainty of the requisite dates is essential in order for public safety agencies to plan and budget for new communications systems. The Fifth NPRM, however, does not establish firm compliance dates. Rather, the Fifth NPRM is framed in terms of not requiring "new systems to use 6.25 kHz technology *before* December 31, 2005," and of not requiring wideband equipment

² While interoperability will occur on the Interoperability channels, in many cases the urban, suburban and rural departments will share infrastructure, and at the very least the infrastructure decisions will be driven by the urban agencies. Consequently, it will be extremely difficult for the suburban and rural EMS and fire departments to independently install 6.25 kHz bandwidth equipment if there are adjacent urban departments with installed 12.5 kHz bandwidth systems.

³ The 21-year migration plans would provide a 10 year period, from the date of clearance of television broadcast operations, for migration to 6.25 kHz in the top 50 metropolitan areas, and 15 years for all other areas. While seemingly more generous to suburban and rural systems, this plan ignores the fact that the suburban and rural systems will be required to follow in lock-step with the adjacent urban areas due to sharing of infrastructure as noted above.

installed prior to the cutoff date “to cease operations and convert to 6.25 kHz technology *prior to* December 31, 2015, at the earliest.”⁴ Moreover, there is no guidance as to how or when these dates will be established.

Major manufacturers have told the Commission that they can deploy dual-mode equipment, utilizing 12.5 kHz bandwidth for Interoperability and 6.25 kHz bandwidth for General Use. For those who seek early deployment and find the wideband General Use systems advantageous, IAFC/IMSA respectfully submit that the Commission should be clear and specific with regard to the compliance and conversion dates for the 6.25 kHz bandwidth systems. To do otherwise will serve to encourage population of the Public Safety 700 MHz band with systems employing unnecessary bandwidth, thereby limiting the number of channels available for assignment, and will discourage suburban and urban agencies from installing 700 MHz band systems to meet the interoperability goals of this rulemaking, as those agencies hesitate to invest in systems with an ill-defined and/or relatively short useful life. On the other hand, those seeking early deployment who insist upon using equipment which does not conform to the Commission’s baseline technical standard also should know in advance the date they will be required to migrate; and it is reasonable to require those establishing non-conforming systems to bear the burden of that migration. Accordingly, IMSA/IAFC urge the Commission to adopt the December 31, 2005 and December 31, 2015 dates as firm compliance dates regarding permissive use of 12.5 kHz bandwidth equipment on the General Use channels.

Finally, the Commission invites comments on whether different migration paths should be adopted for rural and urban markets. IAFC/IMSA respectfully submit that the public safety services are distinguishable from the precedent cited by the Commission for use of separate

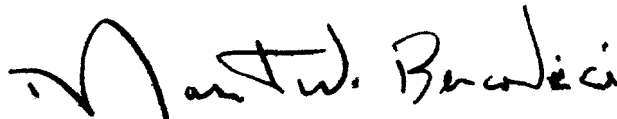
⁴ Fifth NPRM at ¶ 98.

migration paths. Spectrum needs are driven by the needs in the urban areas. Suburban and rural use of the Public Safety 700 MHz band largely would be a function of inter-operation and integration with urban systems. Accordingly, it therefore follows that the migration plans for urban systems will serve to dictate the migration plans for the suburban and rural systems. To the extent this premise does not hold true in any specific situation, consideration can be accorded on a case-by-case basis through the Commission's rule waiver process.

WHEREFORE, THE PREMISES CONSIDERED, the International Municipal Signal Association and The International Association of Fire Chiefs, Inc., respectfully urge the Federal Communications Commission to adopt the 6.25 kHz standard for operation on the public safety 700 MHz band General Use channels, subject to allowing 12.5 kHz-based systems to be deployed prior to December 31, 2005, with those systems allowed to operate, be maintained and expanded up to and concluding with December 31, 2015.

Respectfully submitted,

**The International Association of Fire Chiefs, Inc.
and
International Municipal Signal Association**

A handwritten signature in black ink, reading "Martin W. Bercovici". The signature is fluid and cursive, with the first name "Martin" being more prominent and the last name "Bercovici" following in a similar style.

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